

Article - Labor and Employment

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§9–803.

(a) If a covered employee who has a permanent impairment due to a previous accident, disease, or congenital condition that is or is likely to be a hindrance or obstacle to the employment of the covered employee dies due in part to the previous impairment and in part to a subsequent accidental personal injury, occupational disease, or compensable hernia, the Commission shall determine the portion of death that is reasonably attributable to:

(1) the previous impairment; and

(2) the subsequent accidental personal injury, occupational disease, or compensable hernia.

(b) The employer or its insurer is liable for the compensation payable for the portion of the death of the covered employee that is reasonably attributable to the subsequent accidental personal injury, occupational disease, or compensable hernia.

(c) The Subsequent Injury Fund is liable for the remainder of the compensation payable as in cases of death resulting solely from an accidental personal injury, occupational disease, or compensable hernia.

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